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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

|   |      |                               |                 |
|---|------|-------------------------------|-----------------|
| <b>TRANSMITTAL FORM</b><br>(to be used for all correspondence after initial filing) |      | <b>Application Number</b>     | 09/827,451      |
|   |      | <b>Filing Date</b>            | April 6, 2001   |
|   |      | <b>First Named Inventor</b>   | Robert F. Terry |
|   |      | <b>Group Art Unit</b>         | 2133            |
|   |      | <b>Examiner Name</b>          | not yet known   |
| <b>Total Number of Pages in This Submission</b>                                     | 6 ** | <b>Attorney Docket Number</b> | 10007.000110    |

**ENCLOSURES (check all that apply)**

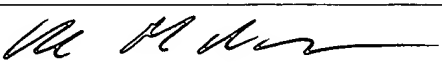
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| <b>Remarks</b><br><b>** does not include pages for listed references</b>   |  |   |

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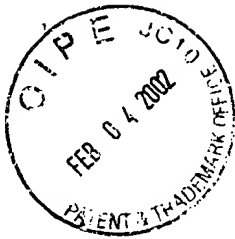
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                                |   |
|--------------------------------|---|
| <b>Firm or Individual name</b> | Arnold M. deGuzman, Reg. No. 39,955<br>DEGUZMAN OKAMOTO & BENEDICTO, LLP            |
| <b>Signature</b>               |  |
| <b>Date</b>                    | January 15, 2002  |

**CERTIFICATE OF MAILING**

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| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <b>January 15, 2002</b> |   |             |               |
| <b>Typed or printed name</b>   | Arnold M. deGuzman  |             |               |
| <b>Signature</b>   |  | <b>Date</b> | Jan. 15, 2002 |

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#7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robert F. Terry

Serial No. 09/827,451

Examiner: not yet known

Filed: April 6, 2001

Art Unit: 2133

Title: System and Method for Real Time Monitoring and Control of a Computer Machine Environment and Configuration Profile

Atty. Dkt. No.: 10007.000110

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Commissioner of Patents  
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §1.56 and §§1.97-98

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the

references cited therein are hereby listed but are not required to be provided in this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

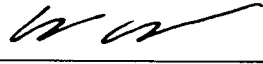
- ☒ 37 CFR §1.97(b).
- ☐ 37 CFR §1.97(c). If so, then either:
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
- OR
- ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
- ☐ 37 CFR § 1.97(d). If so, then both:
- ☐ Applicant certifies pursuant to 37 CFR § 1.97(e) that either:
- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
- AND
- ☐ Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

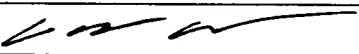
Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted,

Robert F. Terry

Dated: January 15, 2002

By:   
Arnold M. deGuzman  
Attorney For Applicant(s)  
Reg. No. 39,955  
DEGUZMAN OKAMOTO & BENEDICTO LLP  
P.O. Box 51900  
Palo Alto, CA. 94303  
Tel.: (650) 691-2030  
Fax: (650) 691-2032

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| Signature:   |  |                             |
| Typed or Printed Name:   | Arnold M. deGuzman  | Dated: <u>Jan. 15, 2002</u> |
| Express Mail Mailing Number (optional):  |   |                             |



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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

| <b>Complete if Known</b> |                 |
|--------------------------|-----------------|
| Application Number       | 09/827,451      |
| Filing Date              | April 6, 2001   |
| First Named Inventor     | Robert F. Terry |
| Group Art Unit           | 2133            |
| Examiner Name            | not yet known   |
| Attorney Docket Number   | 10007.000110    |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

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**NON PATENT LITERATURE DOCUMENTS**

Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Remote Console Session, IBM Technical Disclosure Bulletin. IBM Corporation 1993, Vol. 36 No.08 August 1993, pages 93-97. Armonk, NY, US.

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Date Considered

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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English is not the primary language of the invention.

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1 Unique citation designation number. 2 Applicant is to place a check mark here if 5-... Burden Hour Statement: This form...

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